

**REQUEST FORM AND FORMALITIES PRELIMINARY AMENDMENT FOR
FILING A PATENT APPLICATION UNDER 37 C.F.R. 1.53(b)**

Submit an original and a duplicate for fee processing

01/24/01
JCS985 U.S. PTO

JCS986 U.S. PTO
09/767953
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ATTORNEY	PRIOR APPLICATION	TOTAL NO.
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Address to:

Assistant Commissioner of Patents
Box Patent Application
Washington, D.C. 20231

This is a request for filing a ☒ continuation or ☐ divisional application under 37 C.F.R. 1.53(b) of prior application Serial No. 09/162,764 filed on September 30, 1998, entitled ORTHOGONAL COMPLEX SPREADING METHOD FOR MULTICHANNEL AND APPARATUS THEREOF by the following inventor(s).

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☐ additional sheet(s) with inventors information attached

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1. ☒ A Preliminary Amendment is enclosed.
2. ☒ Cancel claim(s) 1 - 40 for purposes of lessening filing fees.

The filing fee is calculated on the basis of the claims existing in the prior application as amended by 1 and/or 2 above.

CLAIMS

Basic Fee		\$ 355	\$ 710
Total Claims	57 - 20 = 37	X 09 = \$ 333	X 18 = \$
Ind. Claims	4 - 3 = 1	X 40 = \$ 40	X 80 = \$
<input type="checkbox"/> Multiple Dependent Claims		+ 130 = \$	+ 260 = \$
		Total \$ 728	Total \$

3. ☒ The Commissioner is hereby authorized to charge fees under 37 C.F.R. 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.
4. ☐ This application is filed under Rule 53(f) and therefore the ☐ Filing Fee ☐ Declaration is not enclosed. All authorization to charge Deposit Account No. 06-1358 for 35 C.F.R. 1.16 fees previously made is revoked.
5. ☒ A check in the amount of \$ 728 is enclosed.
6. ☐ Amend the specification by inserting before the first line the sentence:
--This is a continuation of application Serial No. 09/162,764 filed Sept. 30, 1998
which in turn is
7. ☒ A verified statement claiming small entity status under 37 CFR 1.9 and 1.27:
a) ☒ was claimed by way of a declaration filed in prior application Serial No. 09/162,764.
b) ☐ is claimed by way of the attached declaration.
8. ☒ Priority of application Serial No. 97-65375 & 98-11923, filed on Dec. 2, 1997 & Apr. 4, 1998 in Korea is claimed under 35 U.S.C. 119.
a) ☒ Certified copy is on file in prior application, Serial No. 09/162,764.
b) ☐ Certified copy filed herewith.
9. ☒ The prior application is assigned of record to Electronics and Telecommunications Research Center.

10. [X] The Power of Attorney in the prior application is to at least one of the following:
Jonathan L. Scherer, 29,851; John Clarke Holman, 22,769; Harvey B. Jacobson, Jr., 20,851; D. Douglas Price, 24,514; Marvin R. Stern, 20,640; Allen S. Melser, 27,215; Michael R. Slobasky, 26,421; Irwin M. Aisenberg, 19,007; William E. Player, 31,409; Nathaniel A. Humphries, 22,772; and an Associate Power of Attorney to Yoon S. Ham, 45,307.

The Power and Associate Power appears in the original papers of the prior
a) [X] application.

b) [] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

11. [X] Petition to extend the life of the above prior application to at least the date hereof

(One box) [] is being concurrently filed in that prior application.

NOTE: (must be) [] was previously filed in that application.

(X'd) [x] is not necessary.

If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358.

12. [] New formal drawings are enclosed.

13. [X] Enclosed is a copy of the Information Disclosure Statement (IDS) and PTO 1449 which was filed in Serial No. 09/162,764, filed September 30, 1998 which is relied on for an earlier filing date under 35 U.S.C. 120.

a) [] More than one IDS was filed in the above Serial No. and copies of each IDS, less the documents, are enclosed.

14. [X] Enclosed is a copy of the PTO 892 which issued in Serial No. 09/162,764, filed September 30, 1998 which is relied on for an earlier filing date under 35 U.S.C. 120.

a) [] More than one PTO 892 issued in the above Serial No. _____ and copies of each PTO 892, less the documents, are enclosed.

15. [X] Also enclosed is: Substitute Specification, Marked-up Specification

Address all future correspondence to:

Customer No. 00136

or

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Enclosed is a copy of the prior application including the Declaration as originally filed, application, namely Serial No. 09/162,764, filed on September 30, 1998. The entire disclosure of the prior application is hereby incorporated by reference.

Respectfully submitted,

By


Yoon S. Ham

Reg. No. 45, 307

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Signed this 24th day of
January, 20 01

☒ Attorney or Agent of record

☐ Filed under 37 CFR 1.34(a)